

REMARKS

Summary of the Office Action

Claims 1-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sakai (GB 2 225 147) (hereinafter "Sakai").

Summary of the Response to the Office Action

Claims 1 and 6-11 are amended to differently describe the invention. New claims 18-23 are added also to differently describe the invention and to provide the Applicants with scope to which they are entitled. Accordingly, claims 1-23 are now pending.

Rejection under 35 U.S.C. § 102(b)

Claims 1-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sakai. To the extent that this rejection might be considered to still apply to the claims as newly amended, it is respectfully traversed as follows.

In the previous Amendment filed on June 20, 2002, Applicants amended each of independent claims 1 and 6-11 to recite that the information record medium has an audio zone and a video zone. Such a record medium is described in connection with the diagram at the bottom of Fig. 5, for example. Applicants explained that the record medium further includes: a substantial information portion that includes video information and audio information which are related to each other; first reproduction control information to reproduce video information and audio information out of the substantial information; and second reproduction control information to reproduce only the audio information out of the substantial information.

Applicants further amended each of independent claims 1 and 6-11 to specify that the substantial information and the first reproduction control information are recorded in the video zone of the record medium and to specify that the second reproduction control information is recorded in the audio zone.

Applicants explained that Sakai does not teach or suggest a record medium having an audio zone and a video zone and also that Sakai does not teach or suggest first and second reproduction control information on a record medium, as recited in the newly-amended claims.

In response, the Examiner provides the reasons in rejecting these arguments beginning at pages 2-5 of the Non-Final Office Action, which, among others, suggest that the Examiner maintains his previous interpretation of “first reproduction control information to reproduce the video information and audio information out of the substantial information” as being met by the combination of the sound control code and the picture control code of Sakai. Accordingly, the Examiner appears to agree with the Applicants’ characterization of Sakai, as set forth in the previously-filed Response, that Sakai separately provides a first control code corresponding to audio signals and a second control code corresponding to video signals. However, the Examiner appears to allege that the first and second control codes together meet the “first reproduction control information” limitations of the currently pending claims.

While Applicants continue to traverse this interpretation for the reasons set forth in previously-filed responses in this application, Applicants have nevertheless newly-amended independent claims 1 and 6-11 in an effort to expedite prosecution in this application.

In particular, independent claims 1 and 6-11 have been newly-amended to recite that the first reproduction control information is provided “to reproduce the video information and audio

information out of the substantial information for a first reproducing apparatus with video and audio reproduction ability” and to recite that the second reproduction control information is provided “to reproduce only the audio information out of the substantial information for a second reproducing apparatus with audio only reproduction ability.” Thus, this first reproduction control information is for a video and audio combined reproducing apparatus or a video player, and the second reproduction control information is for an audio only reproducing apparatus or an audio only player.

In the Detailed Description of the Preferred Embodiments portion of the instant application’s specification, the first reproduction control information is described as VTSI in Fig. 5, the substantial information is VOB, and the second reproduction control information is ATSI. Support for the disclosed video DVD provided with audio navigation can be found in the specification at least at page 25, line 14 to page 29, line 18. Support for the audio and video DVD can be found in the specification at least at page 38, lines 10-23.

Applicants respectfully submit that while Sakai discloses two kinds of control codes corresponding to the sound signal and the picture signal in its description at page 12, lines 21-22, Sakai does not teach or suggest that one of the two kinds of control codes is for an audio only reproducing apparatus and the other kind of control code is for a video and audio reproducing apparatus, as recited in the newly-amended independent claims 1 and 6-11. In other words, Sakai does not teach or suggest that only a sound signal is reproduced out of the sound and picture signal recorded on the track. See, for example, page 13, lines 4-8 of Sakai.

Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because Sakai does not teach or suggest each feature of independent claims 1 and 6-

11, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Furthermore, Applicants respectfully assert that dependent claims 2-5 and 12-17 are allowable at least because of the respective dependence from independent claims 1 and 6-11, as amended, and the reasons set forth above.

Newly-Added Claims 18-23

Newly-added claims 18-23 are presented to differently describe the invention and to provide the Applicants with scope to which they are entitled. New independent claims 20-23 are presented to describe, for example, that a reading device and a reproduction device function in conjunction with the first reproduction control information and the second reproduction control information. Applicants respectfully submit that newly-added claims 18-23 are allowable over the applied art of record.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "**Versions with Markings to Show Changes Made.**"

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims 1-23. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.


EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 and 6-11 has been amended as follows:

1. (Twice Amended) An information record medium having an audio zone and a video zone comprising:

substantial information including video information and audio information which are related to each other;

first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and

second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**,

wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone.

6. (Twice Amended) An information reproducing apparatus for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio**

reproduction ability; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing apparatus comprising:

a reading device for reading the substantial information, the first reproduction control information and the second reproduction control information from said information record medium; and

a reproducing device for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed, and reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed.

7. (Twice Amended) An information reproducing apparatus for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio**

only reproduction ability, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing apparatus comprising:

a reading device for reading the substantial information and the first reproduction control information from said information record medium; and

a reproducing device for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed.

8. (Twice Amended) An information reproducing apparatus for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing apparatus comprising:

a reading device for reading the substantial information and the second reproduction control information from said information record medium; and

a reproducing device for reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed.

9. (Twice Amended) An information reproducing method for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing method comprising:

a reading process for reading the substantial information, the first reproduction control information and the second reproduction control information from said information record medium; and

a reproducing process for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the

audio information is instructed, and reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed.

10. (Twice Amended) An information reproducing method for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing method comprising:

a reading process for reading the substantial information and the first reproduction control information from said information record medium; and

a reproducing process for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed.

11. (Twice Amended) An information reproducing method for reproducing an information record medium having an audio zone and a video zone comprising: substantial information including video information and audio information which are related to each other; first reproduction control information to reproduce the video information and audio information out of the substantial information **for a first reproducing apparatus with video and audio reproduction ability**; and second reproduction control information to reproduce only the audio information out of the substantial information **for a second reproducing apparatus with audio only reproduction ability**, wherein the substantial information and the first reproduction control information are recorded in the video zone, and the second reproduction control information is recorded in the audio zone,

said information reproducing method comprising:

a reading process for reading the substantial information and the second reproduction control information from said information record medium; and

a reproducing process for reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed.

Claims 18-23 have been newly added.